

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:21 CR 94
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
FRANK GORDON, III)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Frank Gordon, III, which was referred to the Magistrate Judge with the consent of the parties.

On February 18, 2021, the government filed a 6 count Indictment, charging Defendant Gordon in counts 1- 6, with Conspiracy to Provide and Possess Prohibited Objects in Federal Prison, in violation of Title 18 U.S.C. § 371, Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances and Controlled Substance Analogues, in violation of Title 21 U.S.C. § 846, and Distribution of a Controlled Substance, in violation of Title 21 U.S.C. § 841(a)(1) and (b)(1)(C). Defendant was arraigned on February 25, 2021, and entered a plea of not guilty to counts 1 through 6 of the Indictment, before Magistrate Judge Parker. On September 28, 2021, Magistrate Judge Parker received Defendant Gordon's plea of guilty to counts 1 through 6 of the Indictment, with a plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Gordon is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Frank Gordon, III is adjudged guilty to counts 1 through 6 of the Indictment, in violation of Title 18 U.S.C. § 371, 21 U.S.C. §§ 846, and 841(a)(1) and (b)(1)(C). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on January 18, 2022, at 2:30 p.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

UNITED STATES DISTRICT JUDGE

October 13, 2021